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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,462	11/16/2001	Chris W. Hill	98090DIV	8205

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KIRKPATRICK & LOCKHART LLP  
535 SMITHFIELD STREET  
PITTSBURGH, PA 15222

EXAMINER

SOWARD, IDA M

ART UNIT PAPER NUMBER

2822

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicant(s)

09/992,462

Applicant(s)

HILL, CHRIS W.

Examiner

Ida M Soward

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 and 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

This Office Action is in response to the preliminary amendment filed November 16, 2001.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art Figure 9 in view of Chou et al. (5,861,345).

Prior Art Figure 9 teaches a method of forming a dielectric layer in an opening, comprising: forming a dielectric layer **102** in the opening **118** on the substrate; the opening having an aspect ratio greater than about two, wherein a portion of the opening not filled with the dielectric layer has an aspect ratio of not greater than about two; providing a substrate before forming the opening; forming a dielectric layer having a top surface that is not within the opening; forming a dielectric layer having a top surface that is within the opening; and forming a plurality of conductive structures **112** on the substrate so that the plurality of structures forms an opening. However, Prior Art Figure 9 fails to teach forming a second dielectric layer over the first dielectric, the second layer having a top surface that is not width within the opening. Chou et al. teach forming a

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second dielectric layer **126** over a first dielectric **124**; the second layer having a top surface that is not width within the opening; and a silicon substrate (Figures 3A-3C, col. 4, lines 22-56). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of forming the dielectric layer of Prior Art Figure 9 with forming the second dielectric layer of Chou et al. to reduce high shear stresses.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art Figure 9 and Chou et al. (5,861,345) as applied to claims 1-5 above, and further in view of Chakravarti et al. (5,909,044).

Prior Art Figure 9 and Chou et al. teach all mentioned in the rejection above. However, Prior Art Figure 9 and Chou et al. fail to teach forming an opening in a substrate. Chakravarti et al. teach forming an opening in a substrate **2** (Figure 2, cols. 3-4, lines 18-27 and 1-67, respectively). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of forming the dielectric layer of Prior Art Figure 9 and forming the second dielectric layer of Chou et al. with forming the opening in a substrate of Chakravarti et al. to reduce chip density, size and cost.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art Figure 9 and Chou et al. (5,861,345) as applied to claims 1-5 above, and further in view of Lin (5,969,409).

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Prior Art Figure 9 and Chou et al. teach all mentioned in the rejection above. However, Prior Art Figure 9 and Chou et al. fail to teach forming a dielectric layer completely filling an opening. Lin teaches forming a dielectric layer **3** completely filling an opening **2** (Figures 2-7, cols. 7-8, lines 48-67 and 1-7, respectively). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of forming the dielectric layer of Prior Art Figure 9 and forming the second dielectric layer of Chou et al. with forming the dielectric layer completely filling an opening of Lin to decrease process complexity.

Claims 6-13, 19-25 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art Figure 9 and Chou et al. (5,861,345) as applied to claims 1-5 above, and further in view of Jang et al. (5,563,104).

Prior Art Figure 9 and Chou et al. teach all mentioned in the rejection above. However, Prior Art Figure 9 and Chou et al. fail to teach forming first and second dielectric layers through an ozone-TEOS deposition. Jang et al. teach forming first **16** and second **18** dielectric layers through an ozone-TEOS deposition. Jang et al. further teach forming the first dielectric layer at a first process setting and forming a second dielectric layer at a second process setting at a predetermined relationship with the first process setting, wherein the first and second process setting consists of first and second temperatures (Figure 2, col. 2, lines 16-52). Also, it is within the level of ordinary skill to form the first and second dielectric layers at first and second temperatures, pressures, dopant concentrations, dopant flow rates and shower head

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distances because the first **16** and second **18** dielectric layers of Jang et al. are different thickness which requires different process settings. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of forming the dielectric layer of Prior Art Figure 9 and forming the second dielectric layer of Chou et al. with forming the ozone-TEOS layers of Jang et al. to find a method of forming a high quality ozone-TEOS layer with reduces pattern sensitivity.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents have been cited to further show the state of the art with respects to a method of forming dielectric layers:

Chen et al. (US 2001/0028075 A1)

Iyer (US 2001/0055889 A 1)

Kim et al. (5,302,233)

Nguyen et al. (5,914,518).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ida M Soward whose telephone number is 703-305-3308. The examiner can normally be reached on Monday - Thursday, 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 703-308-4940. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

ims  
September 17, 2002

  
CARL WHITEHEAD, JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800